

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CHAMBERS OF
STANLEY R. CHESLER
JUDGE

SENATOR FRANK R. LAUTENBERG BUILDING
UNITED STATES COURTHOUSE AND POST OFFICE
P.O. BOX 999
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April 10, 2008

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Re: **Scarpone v. Nelson, Civil Action No. 04-3140 (SRC)**

Dear Ms. Leighton and Mr. Duva:

The Court is in receipt of your letters dated March 3, 2008 and April 7, 2008 regarding whether an agreement exists to bifurcate the liability and punitive damages phases of the trial pursuant to Herman v. Sunshine Chem. Specialites, Inc., 133 N.J. 329, 346 (1993) and to extend discovery in order to obtain information relating to punitive damages. Ms. Leighton, the Court requests that you make it aware of where this agreement is memorialized, be it in the Final Pretrial Order or another location, and provide the Court with a copy of said agreement.

Very truly yours,

s/Stanley R. Chesler
STANLEY R. CHESLER, U.S.D.J.

Cc: ECF
All Parties